

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

PATRICK A. WHITE,

8:13CV62

Plaintiff,

V.

# MEMORANDUM AND ORDER

Defendant.

This matter is before the court on its own motion. Plaintiff provisionally filed a Complaint on February 26, 2013. (Filing No. [1](#).) Due to certain technical defects, the Complaint cannot be further processed. To assure further consideration of the Complaint, Plaintiff must correct the defects listed below. **FAILURE TO CORRECT THESE DEFECTS WILL RESULT IN DISMISSAL OF THE COMPLAINT.**

Plaintiff has failed to include the \$350.00 filing fee. Plaintiff has the choice of either tendering the \$350.00 fee to the Clerk of the court or submitting a request to proceed in forma pauperis and an affidavit of poverty in support thereof. If Plaintiff chooses to do the latter, the enclosed pauper's forms should be completed and returned to this court.

Plaintiff did not sign his Complaint, or name any defendants. In order for this matter to proceed, Plaintiff must file a signed amended complaint that complies with the general rules of pleading. *See* [Fed. R. Civ. P. 8\(a\)\(2\)](#) (requiring that every complaint contain “a short and plain statement of the claim showing that the pleader is entitled to relief”); *see also* [Erickson v. Pardus, 551 U.S. 89, 93 \(2007\)](#) (stating a complaint must state enough to give the defendant fair notice of what the claim is and the grounds upon which it rests).

IT IS THEREFORE ORDERED that:

1. Plaintiff is directed to correct the above-listed technical defects within 30 days of the date of this Memorandum and Order. Failure to comply with this Memorandum and Order will result in dismissal of this matter without further notice.
2. The Clerk of the court is directed to send to Plaintiff the pro se civil complaint form and the Form AO240 (“Application to Proceed Without Prepayment of Fees and Affidavit”).
3. The Clerk of the court is directed to set a pro se case management deadline in this matter with the following text: April 25, 2013: Check for MIFP or payment and amended complaint.

DATED this 25<sup>th</sup> day of March, 2013.

BY THE COURT:

*Richard G. Kopf*  
Senior United States District Judge

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